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WALTER WILHELM LAW GROUP  
A Professional Corporation  
Riley C. Walter #91839  
Danielle J. Bethel #315945  
205 East River Park Circle, Ste. 410  
Fresno, CA 93720  
Telephone: (559) 435-9800  
Facsimile: (559) 435-9868  
E-mail: [rileywalter@w2lg.com](mailto:rileywalter@w2lg.com)

Chapter 9 Counsel

MCCORMICK BARSTOW, LLP  
Benjamin T. Nicholson #239893  
Todd A. Wynkoop #308845  
7647 N. Fresno Street  
Fresno, CA 93720  
Telephone: (559) 433-1300  
Facsimile: (559) 433-2300  
E-mail: [ben.nicholson@mccormickbarstow.com](mailto:ben.nicholson@mccormickbarstow.com)

District Counsel

IN THE UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF CALIFORNIA

FRESNO DIVISION

In re

CASE NO. 17-13797

TULARE LOCAL HEALTHCARE  
DISTRICT, dba TULARE REGIONAL  
MEDICAL CENTER,

Chapter 9

Adv. No.: 17-01095

Debtor.

**DEFENDANT TULARE LOCAL  
HEALTHCARE DISTRICT, dba  
TULARE REGIONAL MEDICAL  
CENTER SECOND ADVERSARY  
PROCEEDING STATUS  
CONFERENCE STATEMENT**

HEALTHCARE CONGLOMERATE  
ASSOCIATES, LLC,

Plaintiff,

v.

Date: February 28, 2018

Time: 1:30 p.m.

Place: 2500 Tulare Street  
Fresno, CA 93721  
Courtroom 13

TULARE LOCAL HEALTHCARE  
DISTRICT, dba TULARE REGIONAL  
MEDICAL CENTER; DOES 1 through 20,

Judge: Honorable René Lastreto II

Defendants.

1 TO THE HONORABLE RENÉ LASTRETO II, UNITED STATES BANKRUPTCY  
2 JUDGE: TULARE LOCAL HEALTHCARE DISTRICT, dba TULARE REGIONAL  
3 MEDICAL CENTER ("TRMC"), defendant herein, respectfully submits this Second  
4 Adversary Proceeding Status Conference Statement as follows:

5 1. This matter was originated by the filing of a Complaint for Breach of Contract  
6 and Declaratory Relief by Healthcare Conglomerate Associates, LLC ("HCCA") against  
7 TRMC on September 15, 2017 in the Los Angeles County Superior Court ("Underlying  
8 Litigation").

9 2. Following TRMC's bankruptcy filing on September 30, 2018, the Underlying  
10 Litigation was stayed and subsequently removed by TRMC to the Bankruptcy Court  
11 resulting in this Adversary Proceeding.

12 3. On January 4, 2018, TRMC filed its Answer to the removed Complaint.

13 4. On January 4, 2018, TRMC filed its Counterclaim against HCCA thereby  
14 asserting the following claims against HCCA: (1) Breach of Contract; (2) Accounting; (3)  
15 Fraud; (4) Negligent Misrepresentation; (5) Concealment; (6) Conversion; (7) Breach of  
16 Fiduciary Duty; (8) California False Claims Act; (9) Cancellation of Deed of Trust; (10)  
17 Declaratory Relief; and (11) Equitable Subordination and Punitive Damages

18 5. On January 10, 2018, HCCA notified the Court that it does not consent to entry  
19 of final orders or judgment by the bankruptcy court.

20 6. On January 24, 2018 HCCA filed a Motion for Remand of Lawsuit to State  
21 Court Pursuant to 28 U.S.C. § 1452(b).

22 7. On January 29, 2018 HCCA filed a Motion to Dismiss Counterclaim Against  
23 HCCA Or In The Alternative Strike Portions Thereof and Motion to Strike Portions of  
24 Answer of Tulare Local Healthcare District dba Tulare Regional Medical Center.

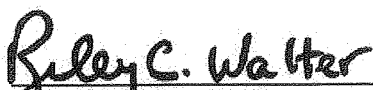
25 8. On February 9, 2018 the parties participated in an all-day mediation with the  
26 Honorable Dickran Tevrizian.

1           9.     On February 16, 2018 the parties stipulated to continue the hearings and all  
2 deadlines regarding the Motion for Remand of Lawsuit to State Court Pursuant to 28  
3 U.S.C. § 1452(b), the Motion to Dismiss Counterclaim Against HCCA Or In The  
4 Alternative Strike Portions Thereof and Motion to Strike Portions of Answer of Tulare  
5 Local Healthcare District dba Tulare Regional Medical Center. Stipulations and Orders  
6 were submitted to the Court on February 16, 2018. The parties are awaiting entry of the  
7 Orders.

8           10.    It is respectfully requested that the status conference in this adversary  
9 proceeding be continued to a date approximately 60 days out in order for the parties to  
10 move past the continued hearings regarding the motions mentioned above.

11 Dated: February 21, 2018

12 WALTER WILHELM LAW GROUP,  
13 a Professional Corporation

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15 Riley C. Walter, Attorneys for Debtor  
16 Tulare Local Healthcare District, dba  
17 Tulare Regional Medical Center  
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